

Applicant(s): Stephen J. Battersby et al.
Serial No.: 09/728,189
For: LIQUID CRYSTAL DISPLAY AND METHOD OF MANUFACTURE
Filed: December 01, 2000
Examiner: Akkapeddi, Prasad R.
Group Art Unit: 2871

REMARKS/ARGUMENTS

Claims 1 through 15 are pending in the present application. Claims 1 through 11 and 15 have been amended.

The Action (1) rejected claims 1, 2, 6; 9, 10, and 12 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,767,890 to Magnan (hereinafter "the Magnan reference"), (2) rejected claims 1, 3, 13 and 15 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 2,614,172 to Greenfield (hereinafter "the Greenfield reference"), (3) rejected claims 4, 5, 8, 11 and 14 under 35 U.S.C. 103(a) as being as being unpatentable in view of the Greenfield reference, and (4) rejected claim 7 under 35 U.S.C. 103(a) as being unpatentable over the Greenfield reference in view of U.S. Patent No. 3,376,101 to Tyzzer (hereinafter "the Tyzzer reference").

Regarding item (1) identified above, it is respectfully submitted that claim 1 is patentable over the Magnan reference, and that claim 1 defines an invention that is neither disclosed nor suggested by the cited reference.

The Magnan reference, in sum, reads on an audio cable comprised of a pair of conducting cables, each cable having an elongated cylindrical core member of a flexible insulating material extending between the ends thereof with a plurality of strands of electrically conductive material along the outer surface of the insulating core member, a spacer means along the length of the insulating core member to define a cylindrical

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support area radially spaced from the outer surface of the insulating core member, and an electrical shield means disposed on the spacer means. (col. 2, lines 56-68).

The Action contends that "'capable of' performing a function is not a positive limitation but only requires the ability to so perform". Hence, the Action, in essence, suggests that the audio cable construction disclosed/suggested by the Magnan reference, and summarized above, is capable of being integrated in fabric-based items. Applicants' respectfully disagree with this suggestion, and respectfully submit that the Magnan reference not only fails to disclose or suggest an electrical cable for "integration in fabric-based items", but also teaches away from such integration. The Magnan reference specifically teaches that the "audio cables [are] used for interconnecting components in high fidelity applications", (col. 1, lines 5-7) such as, for example, "to connect between turntable, pre-amplifier, power amplifier and the speakers producing ultimate audio." (col. 1, lines 45-48).

Thus, it is respectfully submitted (1) that claim 1 is patentably distinct from that which is disclosed and/or suggested by the Magnan reference, (2) that the Magnan reference fails to disclose or suggest all the elements (e.g., "an electrical cable...for integration in fabric-based items") of claim 1, and (3) that the Magnan reference teaches away from the invention defined by claim 1. Accordingly, reconsideration and withdrawal of the rejection based on the Magnan reference, and allowance of claim 1, are respectfully requested.

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Regarding claims 2, 6, 9, 10, and 12, which depend either directly or indirectly from claim 1, it is respectfully submitted that they are each patentable at least for the reasons discussed above with respect to claim 1. Accordingly, reconsideration and withdrawal of the rejection, and allowance of claims 2, 6, 9, 10, and 12, are respectfully requested.

Regarding items (2) and (3) identified above, it is respectfully submitted that claim 1 is patentable over the Greenfield reference, and that claim 1 defines an invention that is neither disclosed nor suggested by the cited reference.

The Greenfield reference, in sum, reads on a wire/cable having a core of ferromagnetic material surrounded by a layer of metal of high electrical conductivity. (col. 1, lines 8-10). The cable has a pair of wire conductors 1 each of which has a ferromagnetic core 2 surrounded by a layer of metal 3 of high electrical conductivity. Each wire 1 has a thread 4 of dielectric material wrapped around it so that the wire is largely surrounded by air to make an "air spaced" cable. The pair of wire conductors is surrounded by a metallic shield 6 in the form of a braid of fine wires. The shield 6 has a jacket 7 of protective/flame-resistant material there over (col. 3, lines 4-24, and 44-57).

The Action, in essence, suggests that for the same reason discussed above with respect to the Magnan reference that the cable construction disclosed/suggested by the Greenfield reference, and summarized above, is capable of being integrated in fabric-based items. Applicants' respectfully disagree with

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this suggestion, and respectfully submit that the Greenfield reference not only fails to disclose or suggest an electrical cable for "integration in fabric-based items", but also teaches away from such integration. The Greenfield reference specifically teaches that the cable to which it is directed is of the sort "such as a television lead-in cable", (col. 1, lines 1-5), the lead-in cables for television sets and for other high frequency radio receiving apparatus. (col. 1, lines 11-12) and cooperative with the then (i.e., 1948-1952 time period) "present commercial television receivers." (col. 2, lines 4-5).

Thus, it is respectfully submitted (1) that claim 1 is patentably distinct from that which is disclosed and/or suggested by the Greenfield reference, (2) that the Greenfield reference fails to disclose or suggest all the elements (e.g., "an electrical cable...for integration in fabric-based items") of claim 1, and (3) that the Greenfield reference teaches away from the invention defined by claim 1. Accordingly, reconsideration and withdrawal of the rejection based on the Greenfield reference, and allowance of claim 1, are respectfully requested.

Regarding claims 3, 4, 5, 8, 11, and 13 to 15, which depend either directly or indirectly from claim 1, it is respectfully submitted that they are each patentable at least for the reasons discussed above with respect to claim 1. Accordingly, reconsideration and withdrawal of the rejections, and allowance of claims 3, 4, 5, 8, 11, and 13 to 15, are respectfully requested.

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Regarding item (4) identified above, it is respectfully submitted that claim 7, which depends indirectly from claim 1, is patentable over both the Greenfield reference and the Tytzer reference, and that claim 7 defines an invention that is neither disclosed nor suggested by the cited reference combination.

The Tytzer reference is cited by the Action for purportedly disclosing "subsequent insulating layers and subsequent conducting layers." It is respectfully submitted that irrespective of whether the Tytzer reference discloses "subsequent insulating layers and subsequent conducting layers", the reference clearly fails to disclose or suggest "an electrical cable...for integration in fabric base items."


Accordingly, it is respectfully submitted (1) that claim 7 is patentably distinct from that which is disclosed and/or suggested by the cited reference combination, (2) that the cited reference combination fails to disclose or suggest all the elements (e.g., "an electrical cable...for integration in fabric-based items") of claim 1, and (3) that the cited reference combination, and more particularly the Greenfield reference, teaches away from the invention defined by claim 1. Thus, reconsideration and withdrawal of the rejection based on the cited reference combination, and allowance of claim 7, are respectfully requested.

In sum, it is respectfully submitted that the pending claims are clearly patentable over each of the cited references and/or any proper combination thereof. Thus, this application is in condition for allowance. Accordingly, reconsideration and

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withdrawal of all rejections of the claims are respectfully
requested.

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David L. Barnes, Esq.
Registration No. 47,407
Attorney for Applicant(s)
Ohlandt, Greeley, Ruggiero & Perle, LLP
One Landmark Square
Stamford, CT 06901-2682
Tel: (203) 327-4500
Fax: (203) 327-6401

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